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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

This Document Relates to:

*Crago d/b/a Dash Computers, Inc., et al. v.
Technicolor SA, et al., No. 14-cv-02058*

Case No. 07-5944 SC

MDL No. 1917

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING PRESERVATION
OF ARGUMENTS FOR APPEAL**

Judge: Hon. Samuel Conti

Pursuant to Civil Local Rules 6-2 and 7-12, Crago, d/b/a Dash Computers, Inc.; Arch Electronics, Inc.; Meijer, Inc.; Meijer Distribution, Inc.; Nathan Muchnick, Inc.; Princeton Display Technologies, Inc.; Radio & TV Equipment, Inc.; Studio Spectrum, Inc.; and Wettstein and Sons, Inc., d/b/a Wettsteins's (collectively the "Direct Purchaser Plaintiffs" or "DPPs"), and Defendants Thomson S.A. (n.k.a. Technicolor S.A.) and Thomson Consumer Electronics, Inc. (n.k.a. Technicolor USA, Inc.) (collectively, the "Thomson Defendants") have conferred by and through their counsel and, subject to the Court's approval, HEREBY STIPULATE AS FOLLOWS:

WHEREAS, there is pending in the United States District Court for the Northern District of California a multidistrict consolidated proceeding comprised of actions brought on behalf of purported purchasers of cathode ray tubes ("CRT") and CRT products, captioned as *In re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 3:07-cv-05944 SC (MDL No. 1917) (the "MDL Proceedings");

WHEREAS, the DPPs have filed a Class Action Complaint, which is now pending in this MDL, naming the Thomson Defendants as Defendants (the "DPP Complaint");

WHEREAS, the DPPs have previously filed a substantially similar Consolidated Amended Complaint alleging the same conduct and naming various other entities as Defendants;

WHEREAS, certain other plaintiffs (the "Direct Action Plaintiffs" or "DAPs") have filed substantially similar Complaints or Amended Complaints alleging the same conduct and naming the Thomson Defendants as Defendants;

WHEREAS, the DAPs have also filed substantially similar Complaints or Amended Complaints alleging the same conduct and naming various other entities as Defendants;

WHEREAS, on May 18, 2009 and June 17, 2009, Defendants other than the Thomson Defendants filed several Motions to Dismiss the DPPs' Consolidated Amended Complaint (Dkt. 463, 464, 466, 467, 474, 476, 479, 482, 485, 491, 492);

WHEREAS, on March 30, 2010, the Court issued an Order ruling on the other Defendants' Motions to Dismiss the DPPs' Consolidated Amended Complaint (Dkt. 665);

1 WHEREAS, on December 12, 2011, Defendants other than the Thomson Defendants
2 filed a Joint Motion for Summary Judgment with respect to the DPPs' Consolidated Amended
3 Complaint (Dkt. 1013);

4 WHEREAS, on November 29, 2012, the Court issued an Order ruling on the other
5 Defendants' Joint Motion for Summary Judgment with respect to the DPPs' Consolidated
6 Amended Complaint (Dkt. 1470);

7 WHEREAS, on August 17, 2012, Defendants other than the Thomson Defendants filed
8 Motions to Dismiss and for Judgment on the Pleadings with respect to certain DAPs (Dkt. 1316,
9 1317, 1319);

10 WHEREAS, on August 21, 2013, the Court issued an Order ruling on the other
11 Defendants' Motions to Dismiss and for Judgment on the Pleadings (Dkt. 1856);

12 WHEREAS, on November 25, 2013, January 27, 2014, and February 7, 2014, Thomson
13 SA filed Motions to Dismiss and/or Strike with Prejudice the DAPs' Complaints or Amended
14 Complaints (Dkt. 2235, 2355, 2373);

15 WHEREAS, on November 25, 2013, January 16, 2014, and January 27, 2014, Thomson
16 Consumer filed Motions to Dismiss and/or Strike with Prejudice the DAPs' Complaints or
17 Amended Complaints (Dkt. 2236, 2329, 2353);

18 WHEREAS, on March 13, 2014, the Court issued an Order ruling on the Thomson
19 Defendants' Motions to Dismiss and/or Strike with Prejudice the DAPs' Complaints of Amended
20 Complaints (Dkt. 2440);

21 WHEREAS, Thomson Consumer's deadline to answer or otherwise respond to the DPPs'
22 Complaint is May 30, 2014;

23 WHEREAS, the DPPs have requested that Thomson SA waive service of their
24 Complaint;

25 WHEREAS, the DPPs and the Thomson Defendants wish to conserve judicial resources
26 and avoid re-litigating issues previously decided by this Court while preserving any and all
27 appeal rights of the DPPs and the Thomson Defendants;

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED between counsel
2 as follows:

3 1. All motions decided in the MDL to date are deemed to have been raised by the
4 Thomson Defendants against the DPP Complaint, and the arguments raised in any such motions
5 are preserved for appellate purposes as if they had been made by the Thomson Defendants
6 against the DPP Complaint.

7 2. Thomson SA waives service of the DPP Complaint in accordance with Rule 4(d)
8 Federal Rules of Civil Procedure.

9 3. The deadline for the Thomson Defendants to answer or otherwise respond to the
10 DPP Complaint shall be on or before July 30, 2014.

11
12 Dated: May 30, 2014

FAEGRE BAKER DANIELS LLP

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14 By: /s/ Kathy L. Osborn

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Dated: May 30, 2014

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*Interim Lead Counsel for Direct Purchaser
Plaintiffs*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 12, 2014



Hon. Samuel Conti
United States District Judge

Pursuant to Local Rule 5-1(i), the filer attests that the concurrence in the filing of this document has been obtained from each of the above signatories.

Dated: May 30, 2014

By: /s/ Kathy L. Osborn